

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6979

BILL NUMBER: SB 328

NOTE PREPARED: Jan 7, 2007

BILL AMENDED:

SUBJECT: Department of child services.

FIRST AUTHOR: Sen. Lawson C

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ___**GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Pending

Summary of Legislation: Requires the director of the department of child services (department) to appoint a county director for each county office of family and children. (Current law requires the director of the division of family resources to make the appointments in consultation with the director of the department.) Specifies that national criminal history checks shall be conducted in compliance with federal law to determine whether certain individuals who supervise children have been convicted of specified offenses. Modifies the definition of "custodian", for purposes of statutes regarding children in need of services (CHINS), to include a person who is a member of the household of a child's noncustodial parent. Requires criminal history checks in pre-adoption placements, even if the child is: (1) not a ward of the court or the department; or (2) placed with certain relatives. Makes certain other changes. Replaces county early intervention plan teams with regional services councils. Establishes the duties, membership, and procedures of the regional services councils. Repeals county early intervention plan teams for delinquent children. Provides that the department may: (1) establish at least three citizen review panels; and (2) designate existing entities as citizen review panels. Requires a citizen review panel to: (1) consist of volunteer members who broadly represent the community; (2) examine policies and procedures of child welfare agencies and specific cases when appropriate; (3) meet at least one time every three months; and (4) prepare an annual report. Requires the department to submit a response to a citizen review panel's report not more than six months after the date the department receives the report. Prohibits a member of a citizen review panel from disclosing identifying information about a specific child services case, child or member of the child's family who is the subject of a child protective services investigation, or any other person identified in confidential materials. Provides that the department may remove a member who discloses identifying information from a citizen review panel. Requires child welfare agencies to cooperate and work with citizen review panels. Allows citizen review panels access to reports and other materials concerning child protective services. Provides that a petition alleging that a child taken into custody is a CHINS shall be filed before the detention hearing.

Requires the initial hearing on the CHINS petition to be held at the same time as the detention hearing. Establishes a child protection registry, and permits a person or agency to obtain certain information contained in the registry relating to an individual who has applied for employment or volunteered for services in a capacity that would place the individual in a position of trust with children. Specifies that national criminal history checks shall be conducted in compliance with federal law to determine whether certain individuals who supervise children have been convicted of specified offenses. Requires a court to consult with a CHINS regarding a proposed permanency plan for the child. Provides that if the child is at least 16 years of age and the proposed permanency plan for the child provides for the transition from foster care to independent living, the court shall notify the child of the permanency hearing and provide the child an opportunity to be heard. Repeals provisions: (1) requiring the department to offer certain services to a family or a child following an investigation of a report of child abuse or neglect; and (2) authorizing voluntary services referral agreements between the department and persons accused of child abuse or neglect. Makes conforming amendments.

Effective Date: Upon passage; July 1, 2007.

Explanation of State Expenditures: *As of the above date, the fiscal analysis of this bill has not been completed. Please contact the Office of Fiscal and Management Analysis for an update of this fiscal impact statement.*

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

Fiscal Analyst: Sarah Brooks, .